

Message Text

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PAGE 01 JAKART 13243 081119Z

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ACTION DLOS-06

INFO OCT-01 EUR-12 EA-07 NEA-10 ISO-00 ACDA-07 AGRE-00

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01

TRSE-00 H-02 INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02

SS-15 USIA-06 SAL-01 /138 W
----- 116742

R 081010Z OCT 76

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 7166

AMEMBASSY KUALA LUMPUR

AMEMBASSY MANILA

AMEMBASSY MOSCOW

AMEMBASSY NEW DELHI

AMEMBASSY SINGAPORE

USUN NEW YORK 1289

C O N F I D E N T I A L JAKARTA 13243

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS - MINISTER OF JUSTICE ON LOS CONFERENCE

1. SUMMARY: IN OCT. 8 MEETING WITH AMBASSADOR, MINISTER OF JUSTICE MOCHTAR KUSUMAATMADJA EXPRESSED DISCOURAGEMENT OVER LOS CONFERENCE DEADLOCK ON EXPLOITATION OF DEEP SEABEDS BUT CLAIMED THAT GOI HAD MADE PROGRESS IN SELLING ITS ARCHIPELAGO POSITION TO MALAYSIA AND USSR. NOTING THAT HE HAD BEEN INVITED TO VISIT MOSCOW BEFORE NEXT LOS CONFERENCE, MOCHTAR WELCOMED PROSPECTS FOR BILATERAL US-GOI TALKS EARLY NEXT YEAR AND SUGGESTED THEY BE AT "POLITICAL LEVEL." END SUMMARY.

2. WHEN ASKED REACTION TO LOS CONFERENCE, MOCHTAR SAID DEAD-
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PAGE 02 JAKART 13243 081119Z

LOCKHOVER DEEP SEABED EXPLOITATION IN COMMITTEE I HAD PERMEATED

ENTIRE CONFERENCE AND HAD EFFECTIVELY PREVENTED ANY MEASURABLE PROGRESS IN OTHER AREAS. HE PLACED PRINCIPAL BLAME ON INDINAS, WHOM HE HALF SERIOUSLY ACCUSED OF ATTEMPTING TO ESTABLISH AN ENORMOUS SEABEDS BUREAUCRACY TO EMPLOY INDIAN CIVIL SERVANTS. MOCHTAR ALSO REFERRED TO PHILOSOPHICAL GAP BETWEEN US TRADITIONAL ASSOCIATION OF MINERALS WITH PRIVATE PROPERTY RIGHTS AND CONCEPT OF "MOST OTHER NATIONS" THAT MINERAL EXPLOITATION WAS EXCLUSIVE RIGHT OF THE STATE. HE SAID GOI HAD ATTEMPTED TO BRIDGE THAT GAP BY DRAWING ON ITS EXPERIENCE WITH PRIVATE COMPANY EXPLOITATION OF STATE-OWNED MINERALS THROUGH PRODUCTION-SHARING, AND HE ACKNOWLEDGED THAT SECRETARY'S PROPOSALS CAME CLOSE TO INDONESIAN CONCEPT. GOI HAD, HOWEVER, DAMAGED ITS G-77 IMAGE WITH ITS PRE-CONFERENCE MODERATING EFFORTS, MOCHTAR EXPLAINED, AND WAS THEREFORE FORCED TO KEEP LOW PROFILE IN CONFERENCE ITSELF. MOCHTAR SAW LITTLE GIVE IN POSITION OF INDIANS AND OTHER "EXTREMISTS" AND AT ONE POINT TERMED PRESENT GAP "UNBRIDGABLE."

3. ALTHOUGH DISAPPOINTED OVER GENERAL LACK OF PROGRESS IN CONFERENCE AS A WHOLE, GOI WAS PLEASED WITH PROGRESS MADE IN SELLING ITS ARCHIPELAGO PROPOSALS, MOCHTAR CLAIMED. HE SAID VIRTUALLY EVERYONE WAS ON BOARD NOW EXCEPT THE TWO PRINCIPAL MARITIME POWERS.

A. REASSURED THAT GOI ARCHIPELAGO PROPOSALS WILL NOT INTERFERE WITH ACCESS BETWEEN EAST AND WEST MALAYSIA, GOM SIGNALLED ITS APPROVAL OF INDONESIAN CONCEPT IN LETTER TO CONFERENCE CHAIRMAN, MOCHTAR NOTED. UNITED KINGDOM ALSO AGREED AS DID LAST AND PRESUMABLY PRESENT AUSTRALIAN GOVERNMENTS. MOCHTAR ACKNOWLEDGED, HOWEVER, THAT PHILIPPINES REMAINS DIFFICULT.

B. THREE TALKS WITH SOVIETS IN NEW YORK RESULTED IN USSR ACCEPTANCE OF MOST OF "FIVE OR SIX AMENDMENTS" GOI HAD PUT FORWARD, LEAVING CIVIL AIR TRANSIT AS ONLY REAL OUTSTANDING PROBLEM, MOCHTAR CLAIMED. IN ANSWER TO AMEMBASSADOR'S QUERY, MOCHTAR STATED THAT SOVIETS HAD ACCEPTED GOI PROPOSAL FOR THREE SEA LANES AND HAD SUGGESTED THAT DISTANCE FROM MEDIAN LINE OF THESE LANES BE 20 MILES (VICE GOI'S 10-MILE PROPOSAL). MOCHTAR SAID GOI MIGHT BE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 JAKART 13243 081119Z

ABLE TO ACCEPT SOVIET 40-MILE TOTAL WIDTH BUT FOUND US "MINIMUM" OF 60 MILES EXCESSIVE. MOCHTAR SAID HE UNDERSTOOD THAT DIFFERENCE IN US AND SOVIET POSITIONS REFLECTED DIFFERENCES IN TYPE OF NAVAL DEPLOYMENT IN AREA BUT ARGUED THAT "INNOCENT PASSAGE" PROVISIONS MADE THIS FACTOR UNIMPORTANT. COMMENT: FOR NEGOTIATING REASONS, MOCHTAR COULD BE EXPECTED TO GIVE MOST FAVORABLE INTERPRETATION POSSIBLE TO SOVIETS' LATEST RESPONSES TO GOI ARCHIPELAGO PROPOSALS.

C. MOCHTAR CLAIMED CLEAR DIFFERENCE BETWEEN US AND
USSSR RESPONSES TO GOI ARCHIPELAGO PROPOSALS HAD CAUSED HIM
PROBLEMS IN FRAMING HIS REPORT TO PRESIDENT SUHARTO. SINCE
EARLY AGREEMENT WITH USSR AND CONTINUED DISAGREEMENT WITH
US OVER ARCHIPELAGO ARTICLES WOULD NOT ACCORD WITH OVER-
ALL GOI POLITICAL ORIENTATION, TALKS WITH USSR HAD NOT BEEN
CONTINUED. USSR DID, HOWEVER, INVITE MOCHTAR TO MOSCOW
BEFORE MAY CONFERENCE.

4. MOCHTAR WELCOMED PROSPECT FOR BILATERAL TALKS WITH US
EARLY NEXT YEAR, WHICH HE SAID SHOULD BE AT POLITICAL RATHER
THAN TECHNICAL LEVEL (MARSHAL SUDARONO ALSO SUGGESTED TALKS
BE AT POLITICAL LEVEL WHEN AMBASSADOR SAW HIM AT AIRPORT
RECEPTION CEREMONY FOR PRIMIN FRASER ON OCT 7). MOCHTAR
INDICATED THAT HE SHOULD PROBABLY REPRESENT GOI IN US
BILATERAL TALKS SINCE HE WOULD BE GOING TO MOSCOW. HE
ACKNOWLEDGED, HOWEVER, THAT MINISTERIAL LEVEL MEETINGS
MIGHT CAUSE INDONESIA PROBLEM WITH SENSITIVE MEMBERS OF
G-77. HE RAISED IN PASSING POSSIBILITY OF HIS GOING TO
NEW YORK WHILE SUDARMONO WENT TO WASHINGTON BUT AT CON-
CLUSION OF CONVERSATION LEFT LEVEL OF MEETING OPER.
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